IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 8th **day of** August , 2002

Criminal Misc. Bail Application Number 722 of 2002

Order on the Bail Application of the accused – Hardev Singh S/o Chamru Singh and Man Singh S/o Sri Om Prakash, both residents of Naugava Thaggu Patia, P.S.Khatima,district Udham Singh Nagar

CRIMINAL SIDE

Har Dev Singh S/o Sri Chamru Singh and (2) Man Singh S/o Om Prakash, both residents of Naugava Thaggu Patia, P.S.Khatima,district Udham Singh Nagar

……..Accused

Versus

State of Uttaranchal.

…….Opposite Party

Arising out of – Case Crime no. 205 A of 2002,
Under Sections 147, 148, 149, 452, 307, 302 I.P.C,
P.S.Khatima,
District Udham Singh Nagar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant and the learned A.G.A.

Both the deceased Sugriv and Roopwati have sustained injuries of blunt object. The learned counsel for the applicants argued that the applicants have not been attributed the possession of blunt object specifically. It is significant that in the FIR the other co-accused have been specifically of Lathi and Danda, which were, wielded in assaulting the victims. It is, thus, obvious that the accused applicants assaulted the victims with Lathi and Danda by which the injuries were sustained by the victims. Considering this, the accused applicants are not entitled to parity with the co-accused who had been released on bail. It is not a fit case for bail. Rejected.

August 8, 2002
M.P.S. (**Irshad Hussain, J.)**